

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

GEORGE LEE, JR.,

Debtor.

Case No. 1:25-MC-00005-JLT-BAM

**[PROPOSED] FINAL ORDER OF
CONTINUING GARNISHMENT**

Criminal Case No. 1:07-CR-00136-OWW

FRITO-LAY, INC.,

Garnishee.

On January 27, 2025, the United States filed an Application for Writ of Continuing Garnishment against twenty-five percent (25%) of George Lee, Jr.’s (“Debtor”) non-exempt disposable earnings, and it requested to receive the statutorily authorized litigation surcharge. ECF 1. The Clerk of the Court issued the Writ and Clerk’s Notice to Debtor. ECFs 3 and 4. The United States served the Writ and related documents on Frito-Lay, Inc. (“Garnishee”) and Debtor. ECFs 2 and 5.

On February 19, 2025, the United States served Garnishee’s Acknowledgment of Service and Answer of Garnishee on Debtor (“Answer”). ECF 7. In its Answer, Garnishee stated that George Lee, Jr., is an employee of Garnishee and pays earnings to Debtor. ECF 6. Debtor did not file a claim of

1 exemption to the proposed garnishment or request a hearing, did not object to Garnishee's Answer, and
2 did not otherwise object to the United States' garnishment action.

3 Pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 302, on March 26, 2025, the Magistrate Judge
4 issued findings and recommendations that recommended that the United States' request for final order of
5 continuing garnishment be granted and ordered that any objections were due within 14 days after
6 service. ECF 10. The United States served the findings and recommendations on Debtor on March 27,
7 2025. ECF 12. Debtor did not object and the time to do so has passed.

8 In accordance with 28 U.S.C. § 636(b)(1)(C), the Court has conducted a *de novo* review of the
9 case. Having carefully reviewed the file, the Court concludes that the Magistrate Judge's findings and
10 recommendations are supported by the record and by proper analysis. Accordingly, the Court

11 **ORDERS:**

12 1. The Findings and Recommendations for Final Order of Continuing Garnishment (ECF
13 10) are **adopted in full**;

14 2. Garnishee Frito-Lay, Inc. is directed to pay the Clerk of the United States District Court
15 25% of George Lee, Jr.'s ongoing and non-exempt disposable earnings, including, but not limited to
16 wages, earnings, commissions, and bonuses;

17 3. Garnishee Frito-Lay, Inc. is directed to pay the Clerk of the United States District Court
18 the amount of non-exempt disposable earnings, including, but not limited to wages, earnings,
19 commissions, and bonuses, already withheld as a result of the writ, within 15 days of the filing of this
20 Final Order of Garnishment. Payment shall be made in the form of a check, money order, or company
21 draft, made payable to the "Clerk of the Court" and delivered to:

22 Office of the Clerk
23 501 I St., Rm. 4-200
Sacramento, CA 95814

24 The criminal docket number (Case No. 1:07-CR-00136) shall be stated on the payment instrument;

25 4. The United States be entitled to recover a \$1,183.43 litigation surcharge after satisfaction
26 of the judgment amount owed by George Lee, Jr. Garnishee shall pay the litigation surcharge to the
27 United States Department of Justice, who will provide payment instructions to the Garnishee
28 concurrently with service of this order;

1 5. The Court shall retain jurisdiction to resolve matters through ancillary proceedings in the
2 case, if necessary; and

3 6. The garnishment shall terminate when (1) the United States seeks to terminate the writ or
4 (2) when the judgment amount and litigation surcharge are fully satisfied.

5
6 IT IS SO ORDERED.

7 Dated: **April 27, 2025**


UNITED STATES DISTRICT JUDGE